

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.



UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</i>		Attorney Docket No. 3350.1000-005
		First Named Inventor or Application Identifier Stefan M. Pulst
		Express Mail Label No. EV 052029438 US

Title of Invention NUCLEIC ACID ENCODING SPINOCEREBELLAR ATAXIA-2 AND PRODUCTS RELATED THERETO
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APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

22581 U.S.PTO 10/75023

- | | |
|---|---|
| 1. [] Fee Transmittal Form
<i>(Submit an original, and a duplicate for fee processing)</i> | 6. [] Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary) |
| 2. [X] Specification Total Pages 63
<i>(preferred arrangement set forth below)</i> | a. [] Computer Readable Form |
| - Descriptive title of the invention | b. [] Paper Copy (identical to computer copy) |
| - Cross References to Related Applications | [] Pages |
| - Statement Regarding Fed sponsored R & D | c. [] Statements verifying identity of above copies |
| - Reference to sequence listing, a table, or a computer program listing appendix | |
| - Background of the Invention | |
| - Brief Summary of the Invention | |
| - Brief Description of the Drawings <i>(if filed)</i> | |
| - Detailed Description | |
| - Claim(s) | |
| - Abstract of the Disclosure | |
| 3. [X] Drawing(s) (35 U.S.C. 113) Total Sheets 9 | |
| [] Fig. of the Drawings for Publication [] | |
| [X] No Figure to be Published | |
| 4. /[X] Oath or Declaration Total Pages 3 | |
| a. [] Newly executed (original or copy) | 7. [] Assignment Papers (cover sheet & documents) |
| b. [X] Copy from a prior application (37 C.F.R. 1.63(d))
<i>(for continuation/divisional with Box 17 completed)</i> | [X] Assignee - Cedars-Sinai Medical Center
Los Angeles, CA |
| i. [] <u>DELETION OF INVENTOR(S)</u>
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b). | 8. [] Power of Attorney [] 37 C.F.R. 3.73(b) Statement |
| 5. [] CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i> | 9. [] English Translation Document <i>(if applicable)</i> |
| | 10. [] Information Disclosure Statement (IDS)/PTO-1449 [] Copies of IDS Citations |
| | 11. [] Preliminary Amendment |
| | 12. [X] Return Receipt Postcard |
| | 13. [] Small Entity Statement(s) |
| | 14a. [] Foreign Priority Claim under 35 U.S.C. §119 or 365 |
| | 14b. [] Certified Copy of Priority Document(s) |
| | 15. [] Nonpublication Request <i>(check parent application)</i> |
| | 16. [X] Other <u>Remarks, Transmittal of Declaration</u> |

17. If a **CONTINUING APPLICATION**, check appropriate box; supply the requisite information.

[X] Continuation [] Divisional [] Continuation-in-part (CIP) of prior application No.: 09/083,268

Prior application information: Examiner: J. A. Goldberg Group Art Unit: 1634

The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.
(Add standard Related Applications section with incorporation by reference to specification or update same)

18. CORRESPONDENCE ADDRESS

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Submitted by Typed or Printed Name	Deirdre E. Sanders	Reg. Number	42,122

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stefan M. Pulst

Continuation Application of

Application No.: 09/083,268

Filed: May 22, 1998

For: NUCLEIC ACID ENCODING SPINOCEREBELLAR ATAXIA-2 AND
PRODUCTS RELATED THERETO

Date: 12/30/03

EXPRESS MAIL LABEL NO. EV 052029438 US

REMARKS

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Alexandria, VA 22313-1450

Sir:

The above-captioned application is a continuation of application number 09/083,268, filed on May 22, 1998 to which priority is claimed under 35 U.S.C. §120.

The drawings have been replaced with copies of the Replacement Drawings filed in 09/083,268.

The related applications paragraph has been revised to include the parent application, and updated to include the current status of related applications. Underlined and bolded characters have been replaced with identical characters in italics to better conform with U.S. Patent and Trademark Office procedure.

Claims 1 through 43 (pages 64 - 69) have been omitted and Claims 1 through 41 (pages 58 - 62) have been added as new claims sequentially beginning with Claim 1. The abstract page has been amended and renumbered accordingly. No new matter has been added.

Pursuant to 37 C.F.R. 1.63(d)(4), please note that a new Power of Attorney was submitted in parent Application No. 09/083,268. Please send all correspondence in the above-identified continuation application to: Customer No. 021005; Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133. In addition, please direct all telephone calls to Deirdre E. Sanders at (978) 341-0036, and all facsimile communications to (978) 341-0136.

Applicant has copied claims of U.S. Patent No. 6,251,589, issued June 26, 2001. Applicant had also copied these claims in the parent application, 09/083,268, filed May 22, 1998. The requirements of 35 U.S.C. § 135(b) are met.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: December 30, 2003